



05909 U.S. PTO
020504

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REQUESTED FILING OF RULE 1.53(B)
CONTINUATION PATENT APPLICATION BASED ON
THE FOLLOWING PENDING PRIOR PATENT APPLICATION:

17548 U.S. PTO
10/772782



In re Application of: Richard B. Streeter et al.
Serial No.: 09/896,258
Filing Date: 06/29/2001
Title: INTRAVASCULAR FILTER WITH DEBRIS
ENTRAPMENT MECHANISM
Group Art Unit: 3731
Examiner: Vy Q. Bui
Attorney's Docket No.: VIA-8

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

FILING OF PATENT APPLICATION UNDER 37 CFR 1.10

The attached Rule 1.53(B) continuation application is being filed under the provisions of 37 CFR 1.10.

EXPRESS MAIL MAILING LABEL NUMBER ER304313965US

DATE OF DEPOSIT February 5, 2004

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE *EXPRESS MAIL POST OFFICE TO ADDRESSEE* SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO: COMMISSIONER FOR PATENTS, PO BOX 1450, ALEXANDRIA, VA 22313-1450.

James A. Sheridan

(PERSON MAILING)

(SIGNATURE)

James A. Sheridan 2/5/04

Respectfully submitted,

James A. Sheridan 2/5/04
James A. Sheridan
Registration No. 43,114
Pandiscio & Pandiscio
470 Totten Pond Road
Waltham, MA 02154
Tel. (781) 290-0060

KK/VIA8CON.FIL

Case Docket No.: VIA-8 CON

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is the patent application of:

Inventor: Richard B. Streeter et al.
For: INTRAVASCULAR FILTER WITH DEBRIS ENTRAPMENT MECHANISM.

Enclosed are:

8 sheets of drawings.
 An assignment of the invention to: _____
 A verified statement to establish small entity status.
 REQUEST FOR FILING RULE 1.53(B) CONTINUATION APPLICATION.

The filing fee has been calculated as shown below:

For:	No. Filed	No. Extra	Rate	Small Entity		Large Entity	
				Fee	Rate	Fee	Rate
Basic Fee				\$375.00		\$750.00	
Total Claims	20 - 20	0	x \$ 9.00	0.00	x \$18.00	0.00	
Ind. Claims	2 - 3	0	x \$42.00	0.00	x \$84.00	84.00	
Mult. Claims			+ \$140.00		+ \$280.00		
			Total	\$375.00			

Please charge my Deposit Account No. 16-0221 to cover the filing fee and assignment recording fee. A duplicate copy of this sheet is enclosed.

A check in the amount of \$ _____ to cover the filing fee (and assignment recording fee) is enclosed.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-0221. A duplicate copy of this sheet is enclosed.

- Any additional filing fees required under 37 CFR 1.16.
- Any patent application processing fees under 37 CFR 1.17.

The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 16-0221. A duplicate copy of this sheet is enclosed.

- Any patent application processing fees under 37 CFR 1.17.
- The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
- Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

James A. Sheridan 2/5/04

James A. Sheridan
Pandiscio & Pandiscio
470 Totten Pond Road
Waltham, Massachusetts 02154
Tel. (781) 290-0060

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REQUESTED FILING OF RULE 1.53(B)
CONTINUATION PATENT APPLICATION BASED ON
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Filing Date: 06/29/2001
Title: INTRAVASCULAR FILTER WITH DEBRIS
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Group Art Unit: 3731
Examiner: Vy Q. Bui
Attorney's Docket No.: VIA-8

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR FILING RULE 1.53(B) CONTINUATION APPLICATION

This is a request for filing a continuation application, in accordance with Rule 1.53(B), of pending prior application Serial No. 09/896,258, filed 06/29/2001 by Richard B. Streeter et al. for INTRAVASCULAR FILTER WITH DEBRIS ENTRAPMENT MECHANISM.

Submitted with this request are the following:

1. A true copy of said prior application Serial No. 09/896,258 (including specification, claims, drawings, and an unsigned Declaration and Power of Attorney) as originally filed;
2. A copy of RESPONSE TO OUTSTANDING NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION - FILING DATE GRANTED, including a signed Declaration and Power of Attorney and a Duplicate Copy of Notice to File Missing Parts;
3. An AFFIDAVIT by the undersigned attorney of record verifying that the enclosed copy of said pending prior application Serial No. 09/896,258 is a complete and true copy;

VIA-8 CON

4. A PRELIMINARY AMENDMENT which amends the application to show that it is a continuation of parent application Serial No. 09/896,258, filed 06/29/2001 by Richard B. Streeter et al. for INTRAVASCULAR FILTER WITH DEBRIS ENTRAPMENT MECHANISM; and

5. A mailing certificate indicating that this submittal is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on February 5, 2004 as provided for under 37 CFR 1.10.

The Power of Attorney in the pending prior application is to Pandiscio & Pandiscio, a firm composed of Nicholas A. Pandiscio, Registration No. 17293, Mark J. Pandiscio, Registration No. 30883, and Scott R. Foster, Registration No. 20,570 and James A. Sheridan, Registration No. 43,114, or any of them, all of 470 Totten Pond Road, Waltham, MA 02451-1914 (Telephone No. 781-290-0060).

The inventor named in this continuation application is the same inventor named in the prior applications Serial No. 09/896,258.

The Commissioner is also authorized to prepare a certified copy of said prior copending application if the same is deemed to be necessary and to charge the cost of same to Deposit Account No. 16-0221.

A duplicate copy of this letter is enclosed for filing in said prior copending application.

All communications in this matter should be addressed to:

Mark J. Pandiscio
Pandiscio & Pandiscio
470 Totten Pond Road
Waltham, Massachusetts 02154.

Thank you.

Respectfully submitted,

James A. Sheridan 2/5/04

James A. Sheridan
Registration No. 43,114
Pandiscio & Pandiscio
470 Totten Pond Road
Waltham, MA 02451-1914
Tel (781) 290-0060
Fax (781) 290-4840

KK/VIA8CON.REQ

VIA-8 CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REQUESTED FILING OF RULE 1.53(B)
CONTINUATION PATENT APPLICATION BASED ON
THE FOLLOWING PENDING PRIOR PATENT APPLICATION:

In re Application of: Richard B. Streeter et al.
Serial No.: 09/896,258
Filing Date: 06/29/2001
Title: INTRAVASCULAR FILTER WITH DEBRIS
ENTRAPMENT MECHANISM
Group Art Unit: 3731
Examiner: Vy Q. Bui
Attorney's Docket No.: VIA-8

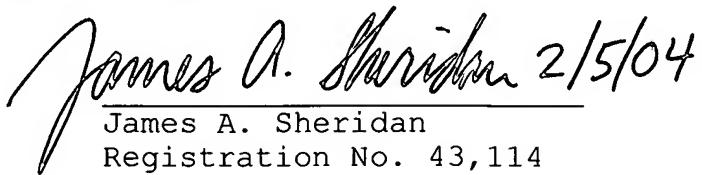
Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AFFIDAVIT VERIFYING APPLICATION

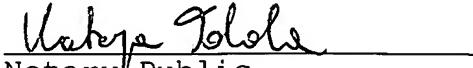
Commonwealth of Massachusetts
County of Middlesex

I, James A. Sheridan, being duly registered to practice before the U.S. Patent and Trademark Office, and being duly sworn, depose and state that: I am attorney of record in the above-identified pending prior application Serial No. 09/896,258, filed 06/29/2001, and that the enclosed application is a true and complete copy of the prior application Serial No. 09/896,258 as filed, and that no amendments referred to in the oath or declaration filed to complete the prior patent application Serial No. 09/896,258 introduced new matter therein.



James A. Sheridan
Registration No. 43,114

Sworn to before me this 5th day of February, 2004.



Notary Public
My commission expires: 4/17/09

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REQUESTED FILING OF RULE 1.53(B)
CONTINUATION PATENT APPLICATION BASED ON
THE FOLLOWING PENDING PRIOR PATENT APPLICATION:

In re Application of: Richard B. Streeter et al.
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Filing Date: 06/29/2001
Title: INTRAVASCULAR FILTER WITH DEBRIS
ENTRAPMENT MECHANISM
Group Art Unit: 3731
Examiner: Vy Q. Bui
Attorney's Docket No.: VIA-8

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUBMISSION OF FORMAL DRAWINGS

Enclosed herewith please find the formal drawings for the above-identified patent application, consisting of Figs. 1A-6D on eight (8) sheets of drawings.

In the event that any fee is required to be paid in connection with the present submission of formal drawings, please charge the cost of the same to Deposit Account No. 16-0221. A duplicate copy of this letter is enclosed for the convenience of the Patent and Trademark Office.

Thank you.

Respectfully submitted,

James A. Sheridan 2/5/04

James A. Sheridan
Registration No. 43,114
Pandiscio & Pandiscio
470 Totten Pond Road
Waltham, MA 02451-1914
Tel. (781) 290-0060
Fax. (781) 290-4840

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Richard B. Streeter et al.
Serial No.: 09/896,258
Filing Date: 06/29/2001
Title: INTRAVASCULAR FILTER WITH DEBRIS
ENTRAPMENT MECHANISM
Group Art Unit: 3731
"EXPRESS MAIL" MAILING LABEL NUMBER ET99274116US
Attorney's Docket No.: VIA-8
DATE OF DEPOSIT DECEMBER 20, 2001

Box Missing Parts
Assistant Commissioner for Patents
Washington, DC 20231

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED
WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST
OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE
DATE INDICATED ABOVE AND IS ADDRESSED TO THE ASSISTANT
COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

James A. Sheridan
(PERSON MAILING)
James A. Sheridan 12/20/01
(SIGNATURE)

PETITION FOR AUTOMATIC EXTENSION OF TIME TO RESPOND

Applicant hereby petitions for a two (2) month extension of time to respond to the outstanding NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION - FILING DATE GRANTED mailed August 20, 2001 with respect to the above-identified patent application, thereby extending the time for response from October 20, 2001 to December 20, 2001.

A check in the amount of \$200.00 is enclosed to cover the cost of the petition fee. This petition fee has been calculated on the basis of a Small Entity status.

In the event that any additional fees may be required to be paid in connection with this matter, please charge the same, or credit any overpayment, to Deposit Account No. 16-0221. A duplicate copy of this Petition is enclosed for the convenience of the Office.

Thank you.

Respectfully submitted,

James A. Sheridan 12/20/01

James A. Sheridan
Registration No. 43,114
Pandiscio & Pandiscio
470 Totten Pond Road
Waltham, MA 02451-1914
Tel. No. (781) 290-0060

PS/VIA8.EXT

VIA-8

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Richard B. Streeter et al.

Serial No.: 09/896,258

Filing Date: 06/29/2001

Title: INTRAVASCULAR FILTER WITH DEBRIS
ENTRAPMENT MECHANISM

Group Art Unit: 3731 "EXPRESS MAIL" MAILING LABEL NUMBER ET99274116US

Attorney's Docket No.: VIA-8 DATE OF DEPOSIT DECEMBER 20, 2001

Box Missing Parts

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED
WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST
OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE
DATE INDICATED ABOVE AND IS ADDRESSED TO THE ASSISTANT
COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

JAMES A. SHERIDAN

(PERSON MAILING)

James A. Sheridan 12/20/01

(SIGNATURE)

RESPONSE TO OUTSTANDING NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION - FILING DATE GRANTED

In response to the outstanding NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION - FILING DATE GRANTED, Applicant
hereby respectfully submits the following:

(1) a DECLARATION AND POWER OF ATTORNEY document listing
the names of each of the inventors, specifically identifying the
application by serial number and filing date, and signed by the
inventors, Richard B. Streeter, Gregory H. Lambrecht, John R.
Liddicoat, Robert Kevin Moore and Todd F. Davenport;

(2) a duplicate copy of the NOTICE TO FILE MISSING PARTS OF APPLICATION - FILING DATE GRANTED, as requested in the Notice; and

(3) one (1) check in the amount of \$65.00 to cover the surcharge for the late filing of the Declaration, this charge having been calculated on the basis of Small Entity status.

In the event that any additional fees may be required to be paid in connection with this submission, please charge the same, or credit any overpayment, to Deposit Account No. 16-0221.

A duplicate copy of this RESPONSE TO OUTSTANDING NOTICE TO
FILE MISSING PARTS OF NON-PROVISIONAL APPLICATION - FILING DATE
GRANTED is enclosed for the convenience of the Patent and
Trademark Office.

Respectfully submitted,

James A. Sheridan 12/20/01

James A. Sheridan
Registration No. 43,114
Pandiscio & Pandiscio
470 Totten Pond Road
Waltham, MA 02451-1914
Tel. No. (781) 290-0060

PS/VIA8.RES

COPY

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Richard B. Streeter et al.
For: INTRAVASCULAR FILTER WITH DEBRIS
ENTRAPMENT MECHANISM
Attorney's Docket No.: VIA-8

Date: June 29, 2001

Box Patent Application
Assistant Commissioner For Patents
Washington, D.C. 20231

Sir:

FILING OF PATENT APPLICATION UNDER 37 CFR 1.10

The attached patent application is being filed under the provisions of 37 CFR 1.10.

Applicant's attorney is also submitting the requisite fee on the basis of Small Entity status, which the Applicants hereby assert, and as calculated on the attached transmittal letter.

EXPRESS MAIL MAILING LABEL NUMBER ET169683240US

DATE OF DEPOSIT JUNE 29, 2001

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

MARK J. PANDISCIO

(PERSON MAILING)

Mark Pandiscio 6/29/01

(SIGNATURE)

Respectfully submitted,

Mark Pandiscio 6/29/01

Mark J. Pandiscio
Registration No. 30,883
Pandiscio & Pandiscio
470 Totten Pond Road
Waltham, MA 02451-1914
Tel. (781) 290-0060
Fax (781) 290-4840

PS/VIA8.FIL

VIA-8

Assistant Commissioner For Patents
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of:

Inventor: Richard B. Streeter et al.
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Basic Fee				\$355.00		\$0.00
Total Claims	20 - 20	0	x \$ 9.00	0.00	x \$18.00	0.00
Ind. Claims	2 - 3	0	x \$40.00	0.00	x \$ 80.00	0.00
Mult. Claims			+ \$130.00		+ \$260.00	
			Total	\$355.00		

Please charge my Deposit Account No. 16-0221 to cover the filing fee and assignment recording fee. A duplicate copy of this sheet is enclosed.

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- Any patent application processing fees under 37 CFR 1.17.

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- The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
- Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,


Michael Pandiscio 6/29/01
 Pandiscio & Pandiscio
 470 Totten Pond Road
 Waltham, Massachusetts 02451-1914
 Tel. (781) 290-0060